

**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	09/386,709
Filing Date	August 31, 1999
First Named Inventor	David J. Brayden
Art Unit	1645
Examiner Name	J. E. Graser
Attorney Docket Number	P26,488-A USA

RECEIVED  
AUG 04 2003  
TECH CENTER 1600/2000

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application**

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

**1. Submission required under 37 CFR 1.114**

Note: If the RCE is proper, any previously filed unentered and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- ii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

**2. Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

**3. Fees**

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 19-5425
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Check in the amount of \$ 1,680.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print / Type)	Jonathan M. Dermott	Registration No. (Attorney / Agent)	48,608
Signature	<i>J. M. Dermott</i>	Date	July 30, 2003

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print / Type)	Nicole Lavery	Date	July 30, 2003
Signature	<i>Nicole Lavery</i>		

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



LAW OFFICES OF  
**SYNNESTVEDT & LECHNER LLP**  
2600 ARAMARK TOWER  
1101 MARKET STREET  
PHILADELPHIA, PA 19107-2950  
TELEPHONE (215) 923-4466  
FACSIMILE (215) 923-2189  
E-MAIL [synnlech@synnlech.com](mailto:synnlech@synnlech.com)  
[www.synnlech.com](http://www.synnlech.com)

RECEIVED  
AUG 04 2003  
TECH CENTER 1600/2900

July 30, 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re/ application of David J. Brayden  
Application No. 09/386,709  
Filed August 31, 1999

Examiner J.E. Graser  
Art Unit 1645  
Confirmation No. 1709

ORAL VACCINE COMPOSITIONS

(Atty. Docket No. P26,488-A USA)

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on Wednesday, July 30, 2003.

  
Nicole Lavery

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR CONTINUED EXAMINATION UNDER 37 CFR §1.114 AND  
RESPONSE TO EXAMINER'S FINAL ACTION DATED JANUARY 30, 2003**

Sir:

In response to the Examiner's Final Action of January 30, 2003, enclosed herewith are the following:

- (a) Request for Continued Examination Transmittal under 37 C.F.R. §1.114;

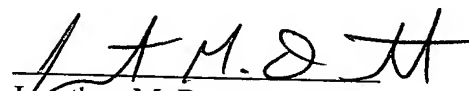
In re Application of David J. Brayden  
Application No. 09/386,709

Page 2  
July 30, 2003

- (b) Submission Under 37 C.F.R. §1.114 in Response to Examiner's Action Dated January 30, 2003;
- (c) Copy of materials submitted with the IDS of December 30, 2002, including:
  - (1) IDS Transmittal, dated December 30, 2002;
  - (2) Form PTO-1449 (modified);
  - (3) All PCT and foreign patent documents cited on Form PTO-1449 (modified), and the Kissel et al. publication (CA Sheet 3);
- (d) Copy of materials submitted with the supplemental IDS of February 14, 2003, including:
  - (1) Supplemental IDS Transmittal, dated February 14, 2003;
  - (2) Form PTO-1449 (modified);
  - (3) All publications cited on Form PTO-1449 (modified);
- (e) Petition for 3-month Extension of Time under 37 C.F.R. §1.136(a); and
- (f) A check in the amount of \$1680.00 which includes the RCE and extension fees.

The Commissioner is also hereby authorized to charge any additional fees associated with this communication to Deposit Account No. 19-5425. A copy of this document is enclosed.

Respectfully submitted,

  
Jonathan M. Dermott, Ph.D.  
Registration No. 48,608

SYNNESTVEDT & LECHNER LLP  
Suite 2600 Aramark Tower  
1101 Market Street  
Philadelphia, PA 19107  
(215) 923-4466  
M:\JDermott\Elan\26488-A USA\RCE transmittal.wpd